



Department of Conservation & Recreation

CONSERVING VIRGINIA'S NATURAL AND RECREATIONAL RESOURCES

## LOCAL ESC PROGRAM RATING WORKSHEET

**Local Program:**

**Review Date:**

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**Introduction:** This worksheet provides a numerical rating for the local program based on the minimum standards of effectiveness and other requirements as contained in the Local ESC Program Review Checklist. A total of 100 points is available for each program component. A local program must receive a minimum of 70 points in each component in order to be considered "effective" in accordance with the Virginia Erosion and Sediment Control Law (VESCL) and the Virginia Erosion and Sediment Control Regulations (VESCR).

The final page of the worksheet contains a summary of program enhancement options provided by the locality. Program enhancements are actions, procedures or policies implemented by the locality which are not required by the VESCH or VESCR but are recognized as contributing to increased effectiveness of the local erosion and sediment control program. Since they are not required, no points are provided for the inclusion of programs enhancements.

PART I: ADMINISTRATION - Pick only one per heading.

Available Points	Earned Points	Criteria
<b>Certified Personnel</b> - pick only one per heading		
1. Local program is administered by a certified Program Administrator, all plans are reviewed by a certified Plan Reviewer and all inspections are performed by a certified Inspector		
35		Yes
0		No
<b>35</b>		<b>Subtotal – Certified Personnel</b>
<b>Program Administration</b> – pick only one per heading		
1. Locality does not allow land-disturbing activity without an approved plan or an agreement in lieu of a plan and does not issue building, grading or other permits without submittal of an approved plan and certification that the plan will be followed		
10		Yes
0		No
2. Locality requires provision of the name of an individual holding a certificate of competence as a prerequisite to engaging in all land-disturbing activities, except when properly waived for a single family residence		
5		Yes
0		No
3. Locality reports land-disturbing activities to DCR in the method established at least 9 months each year		
5		Yes
0		No
4. Locality maintains a copy of the approved plan and a record of inspections for each active land-disturbing activity		
5		Yes
0		No
5. Locality maintains a record of enforcement actions for all active land-disturbing activities		
5		Yes
0		No
<b>30</b>		<b>Subtotal – Program Administration</b>



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### PART I: ADMINISTRATION (continued)

**Local ESC Ordinance – pick only one score**

Available Points	Earned Points	Criteria
35		All required law or regulation sections listed below are present and correct
30		One or more of the required law or regulation items listed below is missing or incorrect.
		Exception for agricultural ponds not required to comply with the Dam Safety Act
		Exception for harvesting forest crops
		Exception for shoreline erosion control projects in tidal waters (Not required for programs outside of tidal areas)
		Exemption to channel flow requirements for projects incorporating natural channel design concepts
		Satisfaction of channel flow requirements for projects incorporating SWM per §10.1-561A
		Provision of the name of an individual with a certificate of competence prior to commencing Land Disturbing Activity
		Written plan review response within 45 days
		Owner is responsible for the plan
		Certification that an approved plan will be followed
15		Only the core items of the law or regulations listed below are present and correct.
		Definition of a land disturbing activity, including exceptions and exemptions
		Identification of plan approving authority, program authority and inspection responsibility
		Reference VESCR and specific design standards
		No land-disturbing activity allowed without an approved plan or agreement in lieu of a plan
		Provision for periodic inspections
		Procedures for issuing a notice to comply
		Procedures for issuing a stop work order and revoking the permit
		Appeal procedures
		Class I Misdemeanor or civil penalties
0		One or more of the core items listed above is missing and/or not correct.
35		<b>Subtotal - Local ESC Ordinance</b>
100		<b>TOTAL – PROGRAM ADMINISTRATION</b>



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PART II: PLAN REVIEW - Pick only one per heading.

Available Points	Earned Points	Criteria
1. For all plans, written notice of disapproval of the plan, stating the reasons for disapproval is communicated within 45 days of receipt		
10		Yes
0		No
2. All disapproval notices specify the modifications, terms, and conditions that will permit approval of the plan		
15		Yes
0		No
3. Approved plans comply with state Minimum Standards or an appropriate variance is granted		
40		All reviewed plans meet the applicable Minimum Standards
20		At least 70% of reviewed plans meet the applicable Minimum Standards
0		Less than 70% of reviewed plans meet the applicable Minimum Standards
4. A statement describing the maintenance responsibilities of the permittee for ESC structures and systems is included in all approved plans		
5		Yes
0		No
5. On all plans, land-disturbing activity occurring at a separate location is shown on the approved plan or has a separate approved plan		
5		Yes
0		No
6. Content of approved plans meets the design standards of Chapter 3 of the <i>VESCH</i> or locally adopted design standards		
20		All reviewed plans meet the design standards
10		At least 70% of reviewed plans meet the design standards
0		Less than 70% of reviewed plans meet the design standards
7. All approved variances are documented in the plan or approved in writing		
5		Yes or variance not required or variances are not allowed by the program
0		Approved variances are not documented in the plan or not approved in writing
100		<b>TOTAL – PLAN REVIEW</b>



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PART III: INSPECTION: - Pick only one per heading.

Available Points	Earned Points	Criteria
1 ESC measures are maintained and repaired or violations are noted in inspection reports		
10		On all sites visited, ESC structures and systems are repaired and maintained or violations are noted in inspection reports
5		On at least 70% of sites visited, ESC structures and systems are repaired and maintained or violations are noted in inspection reports
0		At less than 70% of sites visited, ESC structures and systems are repaired and maintained or violations are noted in inspection reports
2. For all reviewed projects, inspection is provided during or immediately following initial installation of erosion and sediment controls		
5		Yes
0		No
3. Periodic inspections are provided at the required frequency including Alternative Inspection Programs		
20		All visited sites meet the required inspection frequency
10		At least 70% of visited sites meet the required inspection frequency
0		Less than 70% of visited sites meet the required inspection frequency
4. At completed sites, inspections are provided at the completion of a project and prior to release of any performance bond		
5		At least 70% of the visited sites were inspected at project completion or no completed sites were visited
0		Less than 70% of the visited sites were inspected at project completion
5. The proper party is given notice of the inspection and inspections are documented by inspection reports or recorded in an inspection log if no violations are observed		
10		At least 70% of visited sites had inspection notice and documentation
0		Less than 70% of visited sites had inspection notice and documentation
6. All violations are noted in an inspection report and corrective actions with completion deadlines are specified		
15		All violations and corrective actions are noted in reports for 70% of visited sites
0		All violations and corrective actions are noted in reports for less than 70% of visited sites
7. The proper party is given notice of violations		
5		Notification of violations is provided for at least 70% of visited sites
0		Notification of violations is provided for less than 70% of visited sites
8. Sites visited during the program review process comply with the approved plan and applicable Minimum Standards or local action is taken		
30		All visited sites meet the plan and MS requirements or action is taken
15		At least 70% of visited sites meet the plan and MS requirements or action is taken
0		Less than 70% of visited sites meet the plan and MS requirements and action is not taken
100		<b>TOTAL - INSPECTION</b>



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### PART IV: ENFORCEMENT - Pick only one per heading

Available Points	Earned Points	Criteria
1		When violations of the approved plan or applicable Minimum Standards are observed, inspection reports document all violations and enforcement action (specific corrective actions with completion deadlines) is initiated
40		Violations documented and enforcement action is initiated at all times
20		Violations documented and enforcement action is initiated at least 70% of the time
0		Violations documented and enforcement action is initiated less than 70% of the time
2.		When violations noted on inspection reports remain during subsequent inspection, a notice to comply (or equivalent higher level enforcement action) is issued
20		Notice to comply or equivalent higher level action is issued at all times or corrective action process adequately resolved all issues of non-compliance
10		Notice to comply or equivalent higher level action is issued at least 70% of the time
0		Notice to comply or equivalent a higher level action is issued less than 70% of the time
3.		All notices to comply (or equivalent enforcement actions) contain specific measures or corrections that need to be made and specify deadlines for completion
20		Yes or higher level enforcement not needed
0		No
4.		Advanced enforcement such as stop work orders (or equivalent actions) are issued when inspection subsequent to a notice to comply (or other equivalent action) reveals continuing violation(s) or when land-disturbing activities commence without an approved plan or when violations are causing or are in imminent danger of causing harmful erosion
20		Advanced enforcement is taken at all times or advanced enforcement not needed
10		Advanced enforcement is taken at least 70% of the time
0		Advanced enforcement is taken less than 70% of the time
<b>100</b>		<b>TOTAL - ENFORCEMENT</b>



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### LOCAL PROGRAM OVERALL RATING

Available Points	Earned Points	Program Area
100		PROGRAM ADMINISTRATION
100		PLAN REVIEW
100		INSPECTION
100		ENFORCEMENT
OVERALL EFFECTIVENESS:		
	Local program <b>meets</b> standards of effectiveness based on a score of at least 70 points in each program component	
	Local program <b>does not meet</b> standards of effectiveness based on a score of less than 70 points in one or more program component	

### DCR LOCAL PROGRAM REVIEW APPROVAL

#### Regional Office

Preparer:	Title:
Signature:	Date:

Regional Manager:	Office:
Signature:	Date:

#### Central Office

Erosion and Sediment Control Program Manager:	
Signature:	Date:



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### LOCAL PROGRAM ENHANCEMENT OPTIONS

#### Administration

#### Plan Review

#### Inspection

#### Enforcement